

57TH REGULAR SESSION

PROPOSED CONSTITUTIONAL AMENDMENT—STATE
EMPLOYEES—SERVICE ON ADVISORY
COMMITTEES

S. J. R. No. 12

Proposing an Amendment to the Constitution so as to provide that state employees may be employed in an advisory capacity or appointed to serve as a consultant or on an advisory committee, or as a member of a Public School Board provided they are not members of the teaching profession, and may receive reimbursement of expenses, with other agencies of this state, or any political subdivision thereof, and of the Federal Government, with the approval of the administrative head of the state department or agency or the governing board of the institution in which such employee is employed and provided there is no conflict of interest.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 33 of Article XVI of the Constitution of the State of Texas be amended so as to hereafter read as follows:

"Section 33. The accounting officers of this state shall neither draw nor pay a warrant upon the Treasury in favor of any person, for salary or compensation as agent, officer or appointee, who holds at the same time any other office or position of honor, trust or profit, under this state or the United States, except as prescribed in this Constitution. Provided, that this restriction as to the drawing or paying of warrants upon the Treasury shall not apply to officers of the National Guard of Texas, the National Guard Reserve, the Officers Reserve Corps of the United States, nor to enlisted men of the National Guard, the National Guard Reserve, and the Organized Reserve of the United States, nor to retired officers of the United States Army, Navy, Marine Corps, Air Force and Coast Guard, and retired warrant officers and retired enlisted men of the United States Army, Navy, Marine Corps, Air Force and Coast Guard. It is further provided, that state employees may serve in an advisory capacity or be appointed to serve as a consultant or on an advisory committee, or as a member of a Public School Board provided they are not members of the teaching profession, and may receive reimbursement of expenses, with other agencies of this state, or any political subdivision thereof, and of the Federal Government, with the approval of the administrative head of the state department or agency or the governing board of the institution in which such employee is employed and provided there is no conflict of interest."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at the general election to be held the first Tuesday after the first Monday in November, 1962, at which election all ballots shall have printed thereon:

"FOR the Constitutional Amendment permitting state employees to serve as a consultant or on an advisory committee, or as a member of a Public School Board provided they are not members of the teaching profession, with a state agency, or any political subdivision thereof, or the Federal Government, if approved by administrative head or governing board of such employee and there is no conflict of interest."

"AGAINST the Constitutional Amendment permitting state employees to serve as a consultant or on an advisory committee, or as a member of a Public School Board provided they are not members of

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the teaching profession, with a state agency, or any political subdivision thereof, or the Federal Government, if approved by administrative head or governing board of such employee and there is no conflict of interest."

Sec. 3. The Governor shall issue the necessary Proclamation for said election and have the same published as required by the Constitution and laws of this state.

Passed the Senate, April 3, 1961: Yeas 25, Nays 0; May 25, 1961, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 26, 1961, House granted request of Senate; May 29, 1961, by unanimous consent Conference Committee was discharged; May 29, 1961, Senate concurred in House amendments: Yeas 25, Nays 1; passed the House, May 17, 1961, with amendments: Yeas 133, Nays 0; May 25, 1961, House granted request of Senate for appointment of Conference Committee; May 27, 1961, House adopted Conference Report: Yeas 117, Nays 12. Filed without Governor's signature, June 17, 1961.

PROPOSED CONSTITUTIONAL AMENDMENT—CONTINUITY OF STATE AND LOCAL GOVERNMENTAL OPERATIONS IN EVENT OF ENEMY ATTACK

S. J. R. No. 13

Proposing an amendment to Article III of the Constitution of the State of Texas by adding a new Section to be known as Section 62 and which shall empower the Legislature to provide for the temporary succession to public offices so as to insure the continuity of governmental operations in periods of emergency resulting from disasters caused by enemy attack; providing for the proclamation and publication of this proposed amendment by the Governor.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article III of the Constitution of the State of Texas is amended by adding thereto a new Section to be known as Section 62 and to read as follows:

"Section 62. Continuity of State and Local Governmental Operations.—

The Legislature, in order to insure continuity of state and local governmental operations in periods of emergency resulting from disasters caused by enemy attack, shall have the power and the immediate duty to provide for prompt and temporary succession to the powers and duties of public offices, except members of the Legislature, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices. Provided, however, that Article I of the Constitution of Texas, known as the "Bill of Rights" shall not be in any manner, affected, amended, impaired, suspended, repealed or suspended hereby."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November, 1962, at which election all ballots shall have printed thereon the following:

"FOR the Constitutional Amendment empowering the Legislature to insure continuity of state and local governmental operations in periods of emergency resulting from disasters caused by enemy attack by providing for the prompt and temporary succession to the